

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 ARMANDO HERNANDEZ,) Case No.: 1:20-cv-01019-NONE-SAB (PC)
12 Plaintiff,)
13 v.) ORDER GRANTING DEFENDANTS' REQUEST
14 IFEOMA OGBOEHI, et al.,) TO OPT OUT OF SETTLEMENT CONFERENCE,
15 Defendants.) LIFTING STAY OF CASE, AND DIRECTING
16) CLERK OF COURT TO ISSUE THE DISCOVERY
17) AND SCHEDULING ORDER
) (ECF Nos. 25, 26)
)
)
)

18 Plaintiff Armando Hernandez is proceeding *pro se* and *in forma pauperis* in this civil rights
19 action pursuant to 42 U.S.C. § 1983.

20 On July 7, 2021, the Court set this case for post-screening settlement conference on September
21 21, 2021, at 1:30 p.m. before Magistrate Judge Barbara A. McAuliffe and stayed the case for 80 days.
22 (ECF No. 26.) That order provided Defendants the opportunity to request opting out of the ADR
23 Project based on a good faith belief that a settlement conference would be a waste of resources. (*Id.*)
24 Defendants now request to opt out and vacate the settlement conference and stay. (ECF No. 26.) Good
25 cause having been presented, the Court will grant Defendants' request.

26 ///

27 ///

28 ///

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Defendants' request to opt out and vacate the settlement conference is granted;
- 3 2. The stay of this action, commencing July 7, 2021, is LIFTED.
- 4 3. The September 21, 2021, settlement conference before Magistrate Judge Barbara A.
- 5 McAuliffe is VACATED; and
- 6 4. The Clerk of Court shall issue the discovery and scheduling order.
- 7

8 IT IS SO ORDERED.

9 Dated: July 20, 2021


UNITED STATES MAGISTRATE JUDGE